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6 Attorneys for Plaintiffs
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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14 TRUSTEES OF THE BRICKLAYERS LOCAL) CASE NO. CV 10-1707 CW
15 NO. 3 PENSION TRUST; TRUSTEES OF THE)
16 LOCAL NO. 7 PENSION TRUST; TRUSTEES)
17 OF THE BRICKLAYERS LOCAL NO. 3) **REQUEST FOR DISMISSAL OF**
18 HEALTH AND WELFARE TRUST; TRUSTEES) **DEFENDANT MILCO**
19 OF THE BRICKLAYERS AND ALLIED) **CONSTRUCTORS, INC.**
20 CRAFTS LOCAL NO. 3 APPRENTICE)
21 TRAINING TRUST; INTERNATIONAL UNION)
22 OF BRICKLAYERS AND ALLIED)
23 CRAFTSMEN, AFL-CIO, LOCAL UNION NO. 3,)
24 on behalf of itself and as agent for its members;)
TRUSTEES OF THE INTERNATIONAL UNION)
OF BRICKLAYERS AND ALLIED)
CRAFTSMEN PENSION FUND,)
Plaintiffs,)
vs.)
MILCO CONSTRUCTORS, INC., a Delaware)
Corporation,)
Defendant.)
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Plaintiffs, by and through their attorneys of record, Katzenbach and Khtikian, hereby
request the dismissal, with prejudice, of the only defendant, MILCO CONSTRUCTORS, INC.,

1 from this action.

2 Respectfully submitted,

3 Katzenbach & Khtikian

4 Dated: January 5, 2011

5 By: /s/ Conor Mack
Conor D. Mack
6 Attorneys for Plaintiffs

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10 **IT IS SO ORDERED.**

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12 Dated: 1/14/2011

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14 CLAUDIA WILKEN
United States District Judge

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2 **PROOF OF SERVICE BY MAIL**
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I am a resident of the County of San Francisco, California. I am over the age of eighteen
years and not a party to this action. My business address is Katzenbach and Khtikian, 1714
Stockton Street, Suite 300, San Francisco, California 94133. I served the within:

7 **1. REQUEST FOR DISMISSAL OF DEFENDANT MILCO CONSTRUCTORS,
8 INC.**

9 on the parties remaining in the action herein, by placing a true copy thereof enclosed in a sealed
10 envelope with first class postage thereon fully prepaid in the United States Mail at San
11 Francisco, California, on January 5, 2011 addressed as follows:

12 Larry Cianciola
13 Milco Constructors Inc.
14 3903 "B" Cherry Ave.
15 Long Beach, CA 90807

16 I declare under penalty of perjury that the foregoing is true and correct, and that this
17 declaration was executed on January 5, 2011.

18 _____
19 /s/ Cheri Yau
20 Cheri Yau
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